



Memorandum

TO: City Council

FROM: Jim Webb, Interim Chief of Staff, Council District 7

SUBJECT: Operating/Maintenance Agreement and Appropriations Ordinance for Vietnamese Cultural Gardens

DATE: April 11, 2005

Approved

Date

4/11/05

REQUEST

On behalf of the Council District 7 Office, I request the Council approve staff's recommendations to:

1. Authorize the City Manager to negotiate a maintenance and operating agreement with the Viet Heritage Society (VHS) for the Vietnamese Heritage Gardens; and
2. Adopt an appropriations ordinance providing an additional \$750,000 in City funding support for the project.

Council support of staff's recommendations will assist the project in reaching a major milestone and entering the next critical phase of development.

DISCUSSION

Adoption of the staff recommendations for approval of an agreement and appropriations ordinance for the Vietnamese Heritage Gardens project marks an important milestone in its long-awaited development that has strong support from our Vietnamese-American community in San José.

The proposed agreement between the City and the Viet Heritage Society outlines the scope, phasing, and funding of the project, and it spells out the current and projected responsibilities of both parties. When the project is completed, VHS will donate it to the City, which will take over ongoing maintenance of the garden. As a cultural amenity for the entire community, the Vietnamese Heritage Gardens will be open to all residents and visitors.

In addition to the agreement for developing and maintaining the project, staff has also recommended that Council adopt an appropriations ordinance that would add \$750,000 of City funding for the construction of the project and \$80,000 for plan check and project inspections. In

combination with the \$250,000 allocated several years ago, this would bring total City funding commitments to \$1,080,000. Total project costs are now projected to be just over \$4.8 million. VHS is responsible for raising the remaining \$3.7 million needed to construct the gardens, and its fundraising efforts are already well underway. The increased City funding will make it easier for VHS to raise additional funding and the agreement spells out how much and when the City funding would be released to VHS contingent upon the achievement of specific fundraising and project milestones in the future.

The City and VHS have reached an agreement that underscores the substantial VHS and City commitment to the project with the strong support of the VHS board of directors and the local Vietnamese-American community and through the diligent efforts of City staff. On behalf of the Council District 7 Office, I request the Council to adopt staff's recommendations and move this project into its next phase of development.